

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

DATED THURSDAY THE TWENTY SEVENTH DAY OF APRIL
ONE THOUSAND NINE HUNDRED AND EIGHTY NINE

PRESENT

HON'BLE SHRI G. SREEDHARAN NAIR, JUDICIAL MEMBER

&

HON'BLE SHRI N. V. KRISHNAN, ADMINISTRATIVE MEMBER

O.A. 224/89

K. V. Mathai

Applicant

Vs.

1. Sub Divisional Officer, Telegraphs,
Pathanamthitta
2. Director, Telecommunications
Trivandrum
3. General Manager, Telecommunications
Trivandrum
4. Union of India represented by its
Secretary, Ministry of Telecommunications,
New Delhi and
5. K. Kuttappan, Driver, Secondary Switching Area
Errinjalakuda

.. Respondents

M/s. O..V. Radhakrishnan
K. Radhamany Amma and
Raju K. Mathew

Counsel for
applicant

Mr. K. Karthikeya Panicker, ACGSC

Counsel for
R-1 to R-4

Smt. Daya K. Panicker

Counsel for R-5

ORDER

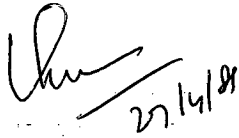
Hon'ble Shri G. Sreedharan Nair

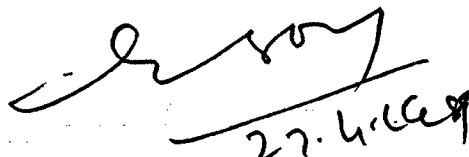
This application is by a casual mazdoor driver
praying for regular appointment to the post of driver.
He ~~has been~~ aggrieved by the order dated 3.4.1989 under

which approval was conveyed for the transfer of the fifth respondent under Rule 38 of the P & T Manual, Vol. IV, which according to him stalls his chance for regularisation.

2. The Respondents have filed reply wherein it is pointed out that the fifth respondent is a driver in Group 'C' whereas the applicant is only in Group 'D' and as such, the appointment by transfer of the fifth respondent cannot cause any real grievance to the applicant.

3. That the applicant is only in Group 'D' while the fifth respondent is in Group 'C' ^{was} ~~is~~ not disputed at the time of hearing. If that be so, the impugned order under which the fifth respondent is proposed to be transferred and appointed can only be in Group 'C', which cannot occasion any apprehension to the applicant as regards his claim for regularisation which can only be in Group 'D'. In the circumstances, without prejudice to the claim of the applicant to have regularisation to any post in Group 'D', we close this application.


(N. V. Krishnan)
Administrative Member
27.4.1989


(G. Sreedharan Nair)
Judicial Member
27.4.1989